BAY POINT MUNICIPAL ADVISORY COUNCIL MINUTES – March 3, 2009

Chairwoman Zumwalt called the regular meeting of the Bay Point Municipal Advisory Council to order at 7:00 p.m. held at Ambrose Recreation and Park District Board Room, 3105 Willow Pass Road, Bay Point, California.

PRESENTATION OF COLORS:

The Pledge of Allegiance was led by Sheriff's Department's, Lt. Mahoney

MEMBERS PRESENT: Garcia, Magleby, Mason, Stevenson, and Zumwalt

MEMBERS ABSENT: Kopitar and Tremaine

APPROVAL OF AGENDA:

Approval of the March 3, 2009 Agenda

M/Stevenson S/Garcia

Members present approved the Agenda for March 3, 2009. Vote 5 – 0

APPROVAL OF MINUTES:

There was a discussion and clarification regarding the two sets of minutes sent for each meeting; 1) the approved minutes from the previous month; and 2) the draft minutes for the current meeting.

Approval of the February 3, 2009 MAC meeting Minutes

M/Magleby S/Stevenson

Members present approved the MAC Minutes of February 3, 2009.

Vote: 4 – 0; 1 abstention (Councilwoman Mason due to absence that meeting)

PUBLIC COMMENTS:

Resident John Parker shared that he had two children, one who graduated from Concord HS and one a junior at Mt. Diablo HS, and stated he was here tonight representing a group called 'Community United for Excellent Schools' whose goal is to obtain a reliable, stable source of funding for our local schools, as the state keeps taking more and more from the school's budget. He stated the School Board has passed a resolution to put a measure on the May 19, 2009 ballot for a \$99.00 parcel tax. Mr. Parker distributed flyers, read some facts regarding the school district's financial state, and stated he was here tonight to ask for the MAC's support of this measure.

Resident Greg Enholm stated he represents Supervisor Glover on the Library Committee and at their last meeting the county Librarian, Ed Cain, as part of the overall review of the county's budget, reported the libraries would be on for a reduction. He stated he was here

to ask the MAC to consider whether they want to advise Federal Glover on this matter. Mr. Enholm stated the question really is what would happen to the Bay Point library if a large reduction occurs; that it might include closing the library sometimes like the state has done with the DMV. He stated the Commission will be having its first special meeting next Thursday at 12:00pm, and if he gets any specific information regarding the Bay Point Library he would certainly pass it along to the MAC.

Allison Fine of the East County Alcohol Coalition gave an update on the East County Alcohol Policy Coalition's progress. She stated they were supposed to have a meeting on the 19th of last month; however the ARPD changed their meeting to the same night and impacted their attendance. Mrs. Fine stated she is going to be persistent, passed out flyers and announced their next meeting will be on the fourth Thursday, March 26th, and encouraged everyone to participate. She also stated she is putting together a Townhall meeting, maybe at the Pittsburg Boys & Girls Club, to discuss the Social Host ordinance.

CONSENT CALENDAR:

1 Brief review and approval of monthly correspondence

Councilwoman Garcia and Chairwoman Zumwalt reviewed the correspondence in the absence of Secretary Kopitar, and made items available for review.

2 Approval of monthly Recording Secretary Invoice of \$120.00

M/Mason

S/Stevenson

Members present approved the amended Consent Calendar having removed the item regarding approval of paying Ambrose Rec. & Park District \$480.00 for rental of meeting room for 2008. Vote 5-0

PRESENTATIONS:

Citizen of the Month by Councilwoman Garcia

None submitted this month.

Allied Waste – Susan Hurl, Presenter

Ms. Susan Hurly, of Allied Waste stated she was here to talk about the new services. She stated Allied Waste serves half of Bay Point and Pittsburg Disposal serves the other half. Ms. Hurly stated the State of California had decided years ago that communities had to divert 50% of their garbage in the landfills, and consequently all they do is look at programs and every year they are evaluated. She stated the way the Contra Costa County had decided to achieve the 50% is to start new programs and achieve a variable rate; basically rewarding the people making the least amount of garbage.

Ms. Hurly described the service change mailings (4 of them), including the difference in waste containers size and price that encourages citizens to recycle and create less garbage. She also stated she anticipates more responses from customers next week, after they receive their bill this week, that they only need to call the office and they can have their container size changed.

Ms. Hurly stated the third mailing was a Customer Guide that tells you about *all* your services and includes a schedule for regular, green and recycle pick-ups; it also includes an Eco page which tells you places you can go to recycle other waste material i.e. Sharps, electronics, etc. She stated if all else fails, you can call the office or go online to get a schedule of pick-ups in your area by giving them your account number.

Ms. Hurly stated that even though they have just started the program, in December of last year 52% of Bay Point residents were using the 96 gallon container and as of today they are down to 41%; so the program is already working.

Chairwoman Zumwalt asked if she knew what was going on with the other disposal company.

Ms. Hurly stated no she didn't.

Mr. Diokno stated that contrary to previous comments, the Supervisor doesn't' dictate the garbage companies containers. He stated they both have to contract with the county, but he hadn't heard anything from the other company.

There was a short discussion on what materials are recyclable and methods for disposing them without making a mess.

Golden State Water Co. - Dick Leonard, Presenter

Mr. Dick Leonard stated they had started using Port Chicago switcher station last April, using just 40 gallons a minute from there because of contract with them. He stated when they had the high TTHM they started using 1,500 gallons per minute so that about 60% of the water used in Bay Point came from that. Mr. Leonard stated that in October they started building the inter-connection at the Hill Street treatment plant; finished that and put it on line January 21st; so the treatment plant is still there; they have to keep it so that it *can* be put on line, until the PUC approves the funding for this inter-connection.

Mr. Leonard stated that when they started the inter-connection they were told they could do it under a 'price letter'; when they found out how much it was going to cost to either upgrade the treatment plant or connect with the Contra Costa Water District (CCWD) they made them do a complete filing. He stated that paper work is being done now, to be filed shortly, then he will notify the MAC and public hearings will be set up.

Mr. Leonard stated they have been using CCWD water since January 21st, but it had probably taken a couple of weeks to get all of the other water out of the system. He said the latest samples taken last week to measure TTHM's were being tested, they could take a few weeks to get back, but they should be way down.

Mr. Leonard stated lastly, he wanted to announce an Open House on March $31^{\rm st}$ here at the Community Center from 7:00pm to 9:00pm to discuss the drought, and either voluntary or mandatory rationing. He stated the numbers they are getting from the Water Resources Board right now indicate a 25% reduction of use. He stated the water bills are being re-done now to reflect current use compared to the average use of water for that month from your 2005 – 2007 use. He stated they are talking about charging 4 – 10 times your regular rate when you go over your mandatory 25% reduced amount, forcing people economically to conserve.

There was some discussion and clarification about the rationing, and Mr. Leonard stated the numbers may change when the Water Resource numbers come out on April 20th.

Mr. Leonard also stated there would be flyers sent out about the meeting, and he wanted to say something about it tonight because he just found out the PUC, who will have to approve the reduction, will also be at the meeting.

AGENCY REPORTS:

Report by Sheriff's Department – Lt. Mahoney

- Lt. Mahoney passed out copies and reviewed the statistics for the month of February including comparisons from the same time last month and last year.
- Lt. Mahoney stated that on the Board of Supervisor's agenda today was the item to approve the 2nd Resident Deputy.
 - Mr. Diokno stated that it had passed.
 - Lt. Mahoney stated that his plan was then for Deputy Mike Tiegler to start on Monday.

Report by California Highway Patrol – Officer Eric Brewer

Officer Eric Brewer reported that for the month of January there were 37 traffic citations issued, 4 arrests made for DUI, and 8 collisions in Bay Point.

Mr. Diokno asked where the collisions occurred.

Officer Brewer stated he did not have the specifics, but that they were in Bay Point and not on the freeway.

Councilman Stevenson asked about the CHP being in charge of abandoned cars.

There was a discussion regarding how to report abandoned cars on the road to the CHP; to be tagged and then towed if not removed in 72 hours or if registration is expired by 6 months.

Supervisor Federal Glover's Office - Ed Diokno

Mr. Ed Diokno stated the Board of Supervisors had approved the funding for a resident deputy paid for out of Bay Point's P-6 funds. He stated Bay Point has been short a resident deputy slot since the Keller Canyon funds proved insufficient to pay for a full time position; that through the P-6 Zones, Supervisor Glover and the Sheriff's Office were able to cobble together enough funds to pay for a new resident deputy. He stated it is only for two years and he doesn't know what happens after that.

Mr. Diokno stated the grant writing workshop sponsored by the supervisor and held last February 23rd at Los Medanos College was a total success, attracting about 100 participants. He stated it was so successful plans are being made for another one later this year.

Mr. Diokno shared that he and Supervisor Glover had toured the Keller Canyon Landfill a couple of weeks ago. He stated it was highly informative and he was glad to see the extent to which they go to prevent odor and waste drifting down the hill. Mr. Diokno stated if you get a chance he recommends you take the tour.

Mr. Diokno stated members of the MAC will be receiving invitations to Supervisor Glover's Breakfast that will be held at the Lone Tree Golf Course in Antioch on April 3rd where State Senator Mark Desaulnier will be the guest speaker speaking on the stated budget and anything else the audience asks him.

Mr. Diokno stated that Supervisor Glover heard a presentation from Public Works about the safety improvements recommended for Willow Pass Road; and he would like the MAC to host a special workshop on April 7th that will start at 6:00pm, just before the next MAC meeting. He stated they will invite the business community and property owners along Willow Pass to attend the workshop.

Mr. Diokno stated lastly, the annual Youth Summit that is sponsored by Supervisor Glover will be at Los Medanos College on April 25th.

There was a short discussion about moving or postponing the scheduled TAC meeting on the April 7th.

ITEMS OF BUSINESS:

A. REDEVELOPMENT STAFF REPORT – Maureen Toms

1 Consideration of a recommendation to support the Pittsburg/Bay Point Enterprise Zone Designation Application.

Ms. Maureen Toms of County Redevelopment reported on the county teaming up with the City of Pittsburg to make an application to the State Department of Housing and Community Development, to get a special designation for our areas, for an Enterprise Zone. She stated the applications are due at the end of this month and quite a bit of data needed to be collected in order to submit the application. Ms. Toms stated the Redevelopment Agency had put in their 2008 -09 budget monies to cover the costs for preparing such an application.

Ms. Toms stated an Enterprise Zone targets economically distressed areas throughout California and it is very competitive to become designated; that there are four (4) slots available this time and as many as twelve (12) communities vying for that designation.

Ms. Toms stated the purpose of the program is to stimulate development by providing tax incentives to businesses and allow the private sector market forces to revive the local economy. Ms. Toms described a number of benefits to businesses in an Enterprise Zone.

Ms. Toms stated that Vincent Manual is working on finishing up the application for her, and what they are looking for is a letter of recommendation from the MAC so they can have a number of these letters with their application.

Chairwoman Zumwalt asked if there were any downsides to this Enterprise Zoning designation.

Ms. Toms stated there is an administrative cost, but it involves a number of things that they are already doing; they would require having staff to go out and visit businesses on an annual basis and keep a tally and make a report on the businesses that are selected. She stated there is a vouchering program administered by the City of Pittsburg, so they would know about growth and hiring of residents by these businesses.

M/Mason S/Stevenson

Members present approved recommendation of a Letter of Support for the Pittsburg/Bay Point Enterprise Zone Designation Application. Vote 5-0

2 Receive report on the Bailey Road Pedestrian Improvement Project (information only) – John Grietzer

Mr. John Grietzer of County Transportation Planning Division distributed hand-outs and stated he would give a brief presentation on this project. He stated that based on input and requests they received from the MAC and other community groups on several occasions, they took a look at Bailey Road from where the freeway ramps come in and the BART station entrance road all the way up to where it ends at Willow Pass Road, to make it safer and easier for pedestrians and bicyclers.

Mr. Grietzer stated in addition to the types of bicycle and pedestrian safety issues, they will also be looking at making that long stretch of Bailey Road more visually attractive, another thing community members have talked about.

Mr. Grietzer reviewed some points on the hand-out and stated the intended outcome, as a result of this process, is a plan with very specific recommendations on what they need to do, how much it will cost, and where they might get those funds. He stated hopefully they will have this plan in a year's time. He stated participants will include the county (including redevelopment, transportation planning, and public works), and other agencies including Tri-Delta Transit, BART, Cal Trans, the City, the public, i.e. the MAC and other interested groups, and the general public.

Mr. Grietzer stated they had just hired a consultant group who has worked with them before on similar projects; and they do a great job on these types of projects. He stated there will be a chance to meet these folks as this planning process ensues. He stated they are able to do this project because of a \$200,000.00 planning grant they received from the Contra Costa Transportation Authority and the Redevelopment Agency is also kicking in the local matching funds of \$26,000.000.

Mr. Grietzer stated in terms of future funding, once they have a plan of what they want to do, they have set aside one and one-half million dollars from the Navy Mitigation Fund, and additional funds may be needed, depending on how high the cost estimates are.

Mr. Grietzer stated he would like to come back before the MAC when 'milestones' in the process are reached, to update and get feedback. He stated he didn't have any tentative dates for those milestones yet, but once they have a detailed schedule he would make that available.

There was a short discussion of existing bicycle lanes, and also about times available for public input on this matter in the future, and time already spent in the past.

B. OLD BUSINESS

1 Discussion, recommendation and approval to include TAC meetings once per quarter within the MAC meeting. On those nights MAC meeting to start at 6:30pm.

After a short discussion:

M/Garcia

S/Mason

Members present approved recommendation of TAC meetings being included once per quarter within the MAC meeting; with those night's meetings starting at 6:00 - 6:30pm; as needed to cover information Vote 5 - 0

Chairwoman Zumwalt stated she had spoken with Jerry Fahy and he had been asked to come speak at the next TAC meeting in May. Chairwoman Zumwalt also asked Councilwoman Magleby if she wouldn't work with Mr. Fahy on the agenda and she agreed.

- 2 Discussion, recommendation and approval for 2009 Bay Point MAC Citizen Newsletter:
 - A) Discussion, recommendation and approval for Newsletter Editor Zumwalt

Chairwoman Zumwalt recommended Councilwoman Garcia remain Newsletter Editor for this year as she had done a good job, and the MAC wanted to support her good efforts.

M/Mason

S/Zumwalt

Members present approved recommendation of Councilwoman Garcia serving as Newsletter Editor for 2009. Vote 5-0

B) Discussion, recommendation and approval for MAC Citizen Newsletter to be written in both English and Spanish – Magleby

After some discussion:

M/Mason

S/Zumwalt

Members present approved recommendation of publishing the Citizen Newsletter in both English and Spanish. Vote 4 –1

C) Discussion, recommendation and approval of Newsletter dates of submission of articles and publication - Garcia

After some discussion Councilwoman Garcia stated the deadline for submitting articles for the first Newsletter would be April 30th, to be published mid May, in order to have the dates for upcoming meeting available to the public. Councilwoman Garcia stated the 2nd Newsletter would be later in the year like November or December.

C. NEW BUSINESS

1. Discussion, recommendation and approval for MAC support of the Mt. Diablo Unified School District parcel tax (\$99.00 per year) - Magleby

Councilwoman Magleby gave a presentation including the following:

- Schools have had their budgets fleeced by a broken state
- · They cut millions from the 2008 budget
- More millions cut from the 2009 budget
- · We want our children reached and teached
- · Nobody likes new taxes, but
- We will be cramming 45 students into classes meant to hold 25

Councilwoman Magleby stated her priority is to support the parcel tax and wants to encourage Supervisor Glover to do the same.

Councilwoman Mason stated we are in economic times like we have never seen; people are losing their homes and jobs; people are living out of their cars; and she in good conscience could not go to the people now and ask for more money. She stated there have been 21 students to a classroom for many years now and it hasn't done anything to improve test scores in Bay Point; that if she thought giving them another \$100.00 would make anything improve with test scores she would do it.

Councilwoman Mason stated she feels bad for the school district, but when she sees the impact of our economy today on our families, making decisions about food on the table or a roof over their heads, she just couldn't in good conscience support this parcel tax.

Councilwoman Garcia stated she has to do more now with less because of the economy, and believes the school district needs to do the same. She stated that people at work everywhere are having to work more with less resources; that the schools need to 'step up to the plate' and do what they are supposed to do and teach our children; and fix the broken system.

Councilman Stevenson stated the problems with the schools are like the problems with the country; if we don't support the schools like if we don't support the country, its going to 'go down the tubes'. He stated we all have our families and our responsibilities; that the schools aren't' doing anything different now; but that we are in a crisis situation having more students than they can teach. Councilman Stevenson stated he cannot *not* support our schools and do what he can to help them, even if it means another \$100.00.

M/Zumwalt

S/Garcia

Members present approved recommendation to support the Mt. Diablo Unified School District parcel tax that will appear on the ballot in May. Vote 3 – 2

OFFICERS/COUNCIL MEMBER REPORTS:

Councilwoman Magleby stated the Bay Point Chamber of Commerce is moving right along, sponsoring more events like the Bay Point parade, and on this very night the new owners/managers of Mi Tierra, which used to be Mis Amigos, have also joined the Chamber at the \$2,000.00 platinum level.

Councilwoman Magleby stated the Bay Point Pride is now spending more and more

money because people are allowed to pick up their \$25 gift certificate if they have a good excuse and can't make the ARPD meeting. She stated their budget is \$2,000.00 per year and \$1,500.00 of it is going to the gift certificates. Councilwoman Magleby also stated the freeway wall along Canal, from Bailey Road to Madison Ave., had the graffiti that covered it painted over and cleaned thanks to the four missionaries from her church spending 2 hours working on it.

Councilman Stevenson asked, and there was a short discussion about the hole in the wall on Bailey Road that belongs to the trailer park, determining it would probably be Code Enforcement to do something about it.

There was some discussion around last month's agreement that Councilman Tremaine and Councilman Stevenson would work with Code Enforcement, going to quarterly meetings, and report back to the MAC.

Councilwoman Mason stated her interest and involvement has centered around Nutrition and Childhood Obesity in our community; and is willing to report on Community Wellness to the MAC.

Councilman Stevenson stated he would like to work on school issues, particularly about getting Bay Point its own High School; and agreed to be the School District's liaison to the MAC.

REQUEST FOR ITEMS ON NEXT AGENDA:

- 1. Paying ARPD \$480.00 for 2008 Board Meeting Rental
- 2. Library Reduction
- 3. MAC's Yearly Budget Garcia
- 4. Safety Meeting

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ADJOURNMENT:

M/Magleby S/Stevenson Motion approved to adjourn the meeting. Vote 6 - 0

There being no further business before the Bay Point Municipal Advisory Council, Chairwoman Zumwalt adjourned the meeting at 8:35 p.m. to the next regular scheduled meeting at 7:00pm on April 7, 2009, to be held at the Ambrose Recreation and Park District Board Room at 3105 Willow Pass Road.

Submitted by Debra Giles Recording Secretary